

Hunting and Wildlife Conservation Council

May 2, 2023

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, D.C. 20250

Dear Secretary Vilsack:

On behalf of the membership of the Hunting and Wildlife Conservation Council (Council), I want to thank the United States Department of Agriculture (USDA) and its agencies for your work to support farmers, ranchers, private landowners, sportsmen and women, and wildlife. We appreciate your leadership in implementing the Inflation Reduction Act (IRA) and preventing wetland drainage by protecting wetland conservation compliance standards. We also appreciate the time that Under Secretary Robert Bonnie spent with Council members during our recent April 17, 2023, meeting.

The IRA has provided historic investments in voluntary USDA conservation programs that are oversubscribed in their use. Organizations represented on the Council and other partners are working closely with Natural Resources Conservation Service (NRCS) to administer these investments and deliver important support, including technical assistance. The IRA's investments in conservation programs will be transformational in helping our Nation's producers and land managers implement conservation practices on working lands in all parts of the country. To maximize the environmental and climate benefits of these investments, we recommend that the Climate-Smart Agriculture and Forestry Mitigation Activities List be expanded to include critical conservation practices in addition to those that directly reduce and mitigate greenhouse emissions. These include but are not limited to practices that support climate resilience, wetland conservation, creation and enhancement, prescribed burning, wetland wildlife habitat management, irrigation efficiencies, and others. The Council also encourages USDA to broaden flexibility and availability of waivers for Adjusted Gross Income and other payment limitations, where authorized, to capitalize on the best and most efficient conservation opportunities. Use of these tools will maximize the impact and effectiveness of IRA implementation by allowing all landowners, producers, regions, and operations have access to these program funds, no matter the size of an agricultural or forestry operation.

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We encourage the USDA to work with this Council and other agricultural and conservation stakeholders to identify and implement practices that complement the current activities list, support co-benefits to agricultural producers and the environment, and support a conservation system-based approach to program administration.

The Council also recommends adopting the Food and Agriculture Organization of the United Nations definition on climate-smart agriculture¹. This definition encompasses practices and activities that reduce greenhouse gas emissions, that help producers adapt and build resilience, and increase sustainable agricultural productivity. Adopting this definition will help reduce the conversion of wetlands and grasslands while acknowledging the long-term benefits of conservation practices that sequester carbon, increase nitrogen and phosphorous consumption, and protect biodiversity and wildlife habitat.

The Council also recognizes that the availability and administration of Conservation Technical Assistance (CTA) is critical to NRCS and partners turning recent investments into effective on-the-ground conservation. The Administration's Fiscal Year 2024 (FY 2024) budget request calls on Congress to increase funding for CTA. The Council greatly appreciates USDA in requesting increased funding for NRCS Conservation Operations (CO) in FY 2024. Nearly 90 percent of CO funding is dedicated to CTA, which facilitates the administration of USDA conservation programs by supporting our conservation workforce, conservation planning, and the extension of specialized technical assistance to producers. Providing strong funding for CTA is now more important than ever as NRCS and partners work to enroll new producers in voluntary conservation programs. We recognize that CTA has enjoyed longstanding bipartisan support in Congress and a diverse group of organizations, including prominent commodity and conservation groups, have called on appropriators to provide increased funding in FY 2024. The Council looks forward to working with NRCS and other partners to support and administer CTA.

Finally, the Council recommends improving wetland determinations (commonly referred to as Swampbuster) as identified in the Government Accountability Office report to the Senate Agriculture Committee in April 2021². Since 1985, Swampbuster has served as an effective public-private partnership to provide agricultural producers important federal farm program benefits, while also conserving our nation's wetland resources. These long-standing policies provide a multitude of societal benefits including a safe and abundant food supply, nutrient retention, improved water quality, wildlife benefits and reduced downstream flooding.

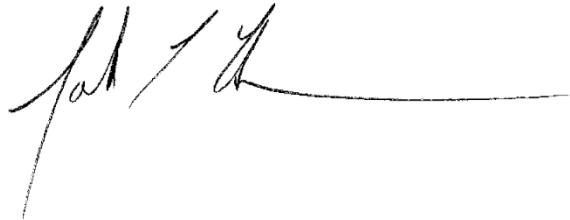
We recommend full implementation of the GAO's six recommendations. Full implementation of the recommendation, including that NRCS use a risk-based approach for its annual compliance check and NRCS developing policy that clearly identifies when the agency will submit reports of potential violations, will improve wetland determinations, and reduce the threat of wetlands being drained in the Prairie Pothole Region and elsewhere. The HWCC encourages USDA and its agencies to implement all six recommendations. We ask for and will request future status updates on the implementation of the recommendations included in the GAO report.

¹ Climate-Smart Agriculture, Food and Agriculture Organization of the United Nations; <https://www.fao.org/climate-smart-agriculture/en/>

² Farm Programs: USDA Should Take Additional Steps to Ensure Compliance with Wetland Conservation Provisions, U.S. GAO; <https://www.gao.gov/products/gao-21-241>

Thank you for the opportunity to provide these recommendations. The Council looks forward to working with USDA and its constituent agencies in achieving the goals of conserving wetland and grassland habitats. Should you have questions or need more information regarding this matter, please contact Doug Hobbs, the Council's Designated Federal Officer, at doug_hobbs@fws.gov or (703) 358-2336.

Sincerely,

A handwritten signature in black ink, appearing to read "John Devney", with a long horizontal line extending to the right.

John Devney
Vice Chair

Cc: HWCC members

Bidisha Bhattacharyya, Senior Advisor – USDA

Robert Harper, Director, Biological & Physical Resources - USDA

Matt Strickler, Deputy Assistant Secretary

Martha Williams, Director

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